

JS-6

UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

CITY OF WEST PALM BEACH
POLICE PENSION FUND, on
Behalf of Itself and All Others
Similarly Situated,

Plaintiff,

v.

XPONENTIAL FITNESS, INC.,
ANTHONY GEISLER,
JOHN MELOUN,
MARK GRABOWSKI,
BRENDA MORRIS,
CHELSEA GRAYSON,
BofA SECURITIES, INC.,
JEFFERIES LLC,
MORGAN STANLEY & CO. LLC,
GUGGENHEIM SECURITIES, LLC,
PIPER SANDLER & CO.,
ROBERT W. BAIRD & CO.
INCORPORATED,
RAYMOND JAMES & ASSOCIATES,
INC.,
ROTH CAPITAL PARTNERS, LLC,
and
R. SEELAUS & CO., LLC,

Defendants.

Case No. 8:24-cv-01333-JWH-KESx

**ORDER REGARDING JOINT
STIPULATION TO
CONSOLIDATE RELATED
ACTIONS AND RESPONSE TO
COURT ORDER TO SHOW
CAUSE RE DISMISSAL FOR LACK
OF PROSECUTION DATED
SEPTEMBER 23, 2024**

1 Upon the Joint Stipulation to Consolidate Related Actions and Response
2 to Court Order to Show Cause Regarding Dismissal for Lack of Prosecution
3 dated September 23, 2024,¹ proposed by Plaintiff City of West Palm Beach
4 Police Pension Fund and Defendants Xponential Fitness, Inc.; Anthony Geisler;
5 John Meloun; Mark Grabowski; Brenda Morris; Chelsea Grayson (collectively,
6 the “Xponential Defendants”) and Defendants BofA Securities, Inc.; Jefferies
7 LLC; Morgan Stanley & Co. LLC; Guggenheim Securities, LLC; Piper Sandler
8 & Co.; Robert W. Baird & Co. Incorporated; Raymond James & Associates,
9 Inc.; Roth Capital Partners LLC; and R. Seelaus & Co., LLC (collectively, the
10 “Underwriter Defendants”), and with good cause being shown, the Court
11 hereby **ORDERS** as follows:

12 1. The Clerk of Court is **DIRECTED** to treat as related the dockets
13 for the instant action and the action styled *City of Taylor General Employees*
14 *Retirement System v. Xponential Fitness, Inc.*, Case No. 8:24-cv-00285-JWH-
15 KESx (the “Related Action”) and to designate the Related Action as the lead
16 case.

17 2. No further pretrial proceedings shall be made in the instant action.

18 3. The Clerk of Court is **DIRECTED** to close the instant action
19 administratively.

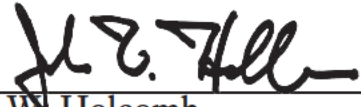
20 4. The Clerk of Court is **DIRECTED** to rename the Related Action
21 as follows: *In re Xponential Fitness Securities Litigation*, Case No. 8:24-cv-00285-
22 JWH-KESx.

23 5. All papers and documents previously filed or served in the instant
24 action shall be deemed a part of the record in the Related Action.

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28 ¹ Joint Stipulation [ECF No. 33].

1 6. The Order to Show Cause previously issued by the Court² is
2 **DISCHARGED.**
3 **IT IS SO ORDERED.**

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5 Dated: October 3, 2024



John W. Holcomb
UNITED STATES DISTRICT JUDGE

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28 ² Order to Show Cause re Dismissal for Lack of Prosecution [ECF No. 32].